

A RULE PROVIDING FOR THE METHOD OF ESTABLISHING SENIORITY FOR ALL CLASSIFIED EMPLOYEES OF THE COUNTY; AND PROVIDING THE PROCEDURES FOR MAINTAINING SENIORITY; AND FURTHER PROVIDING RETENTION FORMULA AND REDUCTION IN FORCE LAY OFF; AND PROVIDING FURTHER THE PROCEDURES FOR RESIGNATION PRIVILEGES AND PENALTIES. THIS RULE WILL ALSO PROVIDE FOR REINSTATEMENT OR REEMPLOYMENT OF VETERANS.

SECTION I.

A classified service register will be established by seniority for all classified employees of the County, listing each name, and opposite each name the respective class of each employee. This service register maintained shall be kept up to date and names shall be added of persons entering the classified service either by promotion or employment. Names of persons leaving the classified service by retirement, resignation or termination shall be deleted from this register.

SECTION II. The hire-in date of each employee shall be the basis for establishing seniority, with the following exceptions:

A. An employee who is laid off with a good employment record and re-enters the classified service after a period of two years will establish a new hire-in (seniority) date on the date of re-entry.

B. An employee who is laid off with a good employment record and re-enters the classified service may retain their original hire-in date, less the time consumed in lay-off, provided lay-off does not exceed two (2) years from the date of lay-off.

C. An employee who is laid off with a good employment record and re-enters the classified service within six (6) months from the date of lay-off may retain their original hire-in date without any loss of time consumed in lay-off.

D. An employee who has worked in two (2) departments in the classified service may use the earliest hire-in date establishing their seniority, subject to the other provisions of this rule.

E. Former employees, upon re-entering the classified service, will be granted credit for previous classified or unclassified service, provided separation does not exceed 6 months from the date of separation. Credit for previous service must have been of permanent nature (either full-time or part-time) and verifiable. amended: 03/13/2003

SECTION III. Resignations. To resign in good standing an employee should give their appointing authority at least two (2) weeks notice, in writing, listing their reason(s) for departing. Failure to comply with this requirement may be cause for removal; however, the appointing authority may exempt from this requirement any employee who has given less than the required notice, if in their judgment exceptional circumstances warrant such exception.

A. Any person who resigns from county service shall not, during such separation, be certified from any eligible promotion register.

B. A resignation is considered a voluntary act on the part of the employee and shall not be forced or accepted as means of avoiding disciplinary action.

C. No resignation shall be required in advance or as a condition of appointment or employment.

D. An employee who resigns will automatically terminate their seniority.

SECTION IV. Reduction in force/lay-off.

A. Retention formula. When it becomes necessary because of material changes in duties or organization, or because of shortage of funds or work, for an appointing authority in good faith and without prejudice to the employees in their department, they shall notify the Human Resource Department, of the number to be laid off in each class. The Human Resource Department shall then prepare a list and inform the appointing authority as to the inverse order in which the employees on the affected classification(s) may be laid off on the basis of three (3) factors to be weighed as follows:

1. Length of continuous service in the classification held. (5 points)
2. Length of continuous service with the county. (3 points)
3. Employee hired into the classified service with Veterans Preference Points (5 points)
4. If it is found that two (2) or more employees in the same department in which lay off is to be made have equal right, the order of lay off in all such cases of ties shall be the last employee to enter the service, shall be the first to be laid off.

RETENTION FORMULA:

Employee "A" came to work three and one-half years ago as a Clerk Typist I. They were promoted to Clerk Typist II four (4) months ago. Their position is included in the lay off. There is one Clerk Typist II in the department, employee "B" with three years service. Employee "B" was originally employed in their present class and has not been promoted.

Retention score would be computed as follows:

Employee "A"	Employee "B"
* 70 X 5 = 350	* 76 X 5 = 380
** 77 X 3 = 231	** 76 X 3 = 228
581 / 8 = 72.625	608 / 8 = 76.0

Employee "A" is subject to lay off according to the above retention score. Employee "A" elects to bump one of the two Clerk Typist I's in the department, Employee "C" or "D". Employee "C" has two years service. Employee "D" has four years service.

Employee "A"	Employee "C"	Employee "D"
* 77 X 5 = 385	* 74 X 5 = 370	* 78 X 5 = 390
** 77 X 3 = 231	** 74 X 3 = 222	** 78 X 3 = 234
616 / 8 = 77	592 / 8 = 74	624 / 8 = 78

Employee "A" would be eligible to bump Employee "C" but not Employee "D".

* This figure is arrived at by using a base figure of 70+ (the number of years in service in the last classification held, multiplied by 2).

** This figure is arrived at by using a base figure of 70+ (the number of years continuous service with the County, multiplied by 2).

For the purposes of these computations, fractions of a year less than six (6) months shall be discarded and six (6) months or more shall be rounded to the next highest year.

B. Non-status Employees. No probationary employees in a class shall be laid off so long as any temporary, emergency or provisional appointee is employed in the same class in the same department or any other department to which transfers can readily be made. Furthermore, all employees in a class who have not served an original probationary period, shall be laid off before any permanent employee in the same class.

C. Bumping or roll-back privileges. When a permanent employee is subject to lay off in a department it shall be established as follows:

1. An employee subject to lay off may elect to roll back to a lower class of position. An employee in a higher class may not "bump" an employee in a lower class who has a higher retention score.

2. Where an employee subject to lay off considers themselves qualified for a lower class of position in a different occupational service, such employee shall make application to Human Resources stating their qualifications for the class of position for which roll-back is sought. Human Resources shall evaluate the applications of such employee and submit same to the board, along with its recommendations for final determination.

3. Any employee who reduces in classification to avoid lay off shall have the right, so long as they are in the service, to return to the position from which they reduced in the event such position is refilled.

4. Persons holding permanent status in the classified service who are laid off as provided herein, shall be entitled to have their names placed on lay off registers for a period of two (2) years in descending order of retention points for such positions as they are qualified for and entitled to hold, including positions which may be thereafter created; provided further, that a person laid off from a particular classification shall have the right to return to the position from which they were laid off in the event such position is refilled. All departments and taxing authorities shall first consider those former employees whose names appear on the lay off registers for the class in which a vacancy has occurred. No original appointment of a new employee or reinstatement of a former employee who voluntarily resigned from the service shall be made until all former employees on the lay off register have been considered.

5. No employee has the privilege of bumping rights from one taxing authority or department to the other.

6. County Commissions Taxing Authority is divided into the following departments/divisions:
amended: 11/10/2004

0010 County Commissions	0400 Human Resources & Risk Management
0011 County Administrator	2300 Building Maintenance
0012 County Attorney	2500 Animal Services
0014 Grants Management	
0030 Clerk to the BCC	2340 Public Services/Auditorium Maintenance
0031 Clerk to the Courts	2350 South Service Center Maintenance
0040 Property Appraiser	2360 Administrative Complex Maintenance
0050 Tax Collector	2400 Landfill
0060 Supervisor of Elections	
0070 Sheriff	2420 Mosquito Control
0100 Office of Management & Budget	2430 Recycling
0120 Computer Support	2600 Parks Department
0121 Geographical Information Systems	3000 Public Services
0130 Administrative Services	3100 Building Inspection
0140 Procurement	3200 Veterans Service
0200 County Engineer	3300 Community Planning, Zoning &

0300 Public Information Office	Development
0610 Regional Library	3400 Emergency Management
0620 Blackwater Soil Conservation	3410 Emergency Communications
0630 Co-op Extension	3420 E-911 Program
0660 Navarre Beach (Water/Sewer)	5000 Judicial System
	5002 Law Library
	5016 Court Facility
0662 Navarre Beach (Other)	5020 Guardian Ad Litem
0750 Self Insurance	5030 Court Reporter
2000 Public Works	5108 Court Technology
	5501 County_Probation
2100 Road & Bridge	5646 Aging Services

D. Notice of lay off. All permanent employees in the classified service who are laid off shall be given fifteen (15) days notice of such lay off prior to the effective date thereof. The appointing authority shall forward a copy of such notice to the Human Resource Department. The employee affected by such lay off shall make written notice to the Human Resource Department no later than five (5) working days prior to the effective date of lay off in order to exercise all rights, privileges, and benefits under this section.

E. Appeal rights. Under no circumstances is a lay off to be considered a disciplinary action. The affected employee shall be advised of their rights of appeal to the Human Resource Department in accordance with the provisions elsewhere in these rules governing appeals by employees.

F. Retention of Benefits. Employees who are separated because of lay off are not considered to have a break in service if reemployed within a six (6) month period immediately following lay off, time off the payroll shall be considered leave without pay. Also, any lump sum payment for earned annual and sick leave shall have no effect on their continuous service with the County Classified Service System. Employees shall retain all sick leave credits for which they are not paid. It shall be incumbent upon the releasing appointing authority to certify to the Human Resource Department at the time of lay off the amount of annual and sick leave for which the employee is paid. The Human Resource Department shall, upon reemployment of the former employee, then furnish a copy of the certification to the receiving authority.

SECTION V. Veteran's Reinstatement/Reemployment.

A. Active duty Voluntary or Involuntary. A reservist or National Guardsman desiring to return to their classified position must meet the following eligibility criteria:

1. The job that was held must have been a permanent appointment.
2. The "veteran" must have left that job for the purpose of entering active duty.

3. The period of active duty must not be longer than four years. It can be up to five years if the period beyond four years is an extension "at the request and for the convenience of the Federal Government."

4. Release from active duty must be under honorable conditions.

5. Application for reemployment must be within 90 days after release from active duty. (Veterans Reemployment Rights Law 38USC 2021, 2024)

6. The Veteran must present a copy of their separation orders.

7. The Veteran will be awarded preference in Promotion (See Rule 94-1).

B. During the absence of an employee with permanent status, the position which they held shall be filled by a substitute employee.

1. The Veteran will be returned to their previous position at the step in the salary range to which they would have been entitled had their service not been interrupted by service in the Armed Forces. However, if the crisis that spawned the call-up ends, and the employee volunteers for an additional tour of duty when they become eligible for separation, their position must be held for as much as four years after the emergency duty called. Upon reinstatement to the position, the employee's continuity of service shall not be affected.

2. A Veteran who was called to active duty during a probationary period will not be entitled to reinstatement. This Veteran may however, request to be placed on the register for the position which was vacated. If an active register does not exist for this position at the time of the Veterans separation, then a register will be established.

3. All employees affected by the return of a Veteran shall be entitled to transfer if a vacancy exists. If no vacancy exists these employees shall be entitled to have their name placed on the register from which they were certified.

SECTION VI. The effective date of this rule shall be July 1, 2002.